

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

New Claims 32 and 33 have been introduced. Claim 32 corresponds to Claim 1 but is narrower in that it requires that the plumb plate be provided on a substantially vertical side surface of a floating main body, not merely on “at least” a substantially vertical side surface of a floating main body. Claim 33 corresponds to Claim 1 but is narrower in that it requires that the plumb plate extends substantially parallel “to a part of” the substantially vertical side surface of the main body “which is positioned under the waterline.”

Claims 1-4, 12, 14-16, and 27-31 were rejected under 35 U.S.C. 103 as being obvious over Jackson. Applicants wish to thank examiner Mayo for the courtesy of an interview on September 8, 2008 at which time this rejection was discussed. Specifically, Applicants there explained that the sides of the small boat in Jackson are sharply raked and are not “substantially vertical” as is recited in the claims. Applicants also explained that the sharply raked sides in Jackson cannot be “substantially vertical” even if the modifier “substantially” is given broad latitude, i.e., its broadest reasonable interpretation.

The broadest reasonable interpretation of a claim term simply means its plain meaning as understood by one skilled in the art in view of the guidance provided in the specification. MPEP 2111.01; MPEP 2173.05(b)(D). Here, the specification describes that the invention is applicable to reducing oscillations of large slab-sided bodies such as floating bridges, floating parking lots or stationary platform ships, and so one skilled in the art would interpret the “plain meaning” of this term to be: vertical and those variations from vertical that are normally present in slab-sided bodies such as floating bridges, floating parking lots or

stationary platform ships. Thus the steeply angled sides of the small boat 10 are outside of the even the broadest reasonable interpretation of substantially vertical.

The same is true for the "substantially parallel" limitation. The position of the fin 13 is limited by the strut 15, and cannot approach an orientation parallel to the side of the small boat. In fact, the drawings seem to show that it cannot get closer than about 45 degrees relative to the side of the boat. No reasonable interpretation of "substantially parallel" would include an angular difference of 45 degrees, which is half way to perpendicular -- the opposite of parallel.

Based on the above arguments, the examiner indicated in the interview that the rejection based on Jackson would be withdrawn.

Since new Claims 32 and 33 are narrower than Claim 1, they are also believed to define over Jackson.

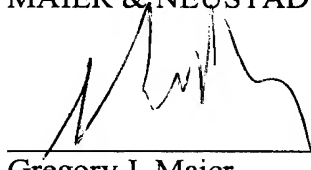
Applicants therefore believe that the present application is in a condition for allowance and respectfully solicits an early Notice of Allowability.

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